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AT ROANOKE, VA
FILED

JUN 25 2010

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MARK ANTHONY BURTON,

Petitioner,

v.

COMMONWEALTH OF VIRGINIA,

Respondent.

Case No. 7:10CV00275

FINAL ORDER

By: Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ORDERED

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice, and this action is stricken from the active docket of the court.

ENTER: This 25th day of June, 2010.

James Carroll

United States District Judge